



Council Action

City of Minneapolis

File No. 16-00028

The Minneapolis City Council hereby:

1. Passage of Resolution authorizing sale of land and redevelopment contract terms with United Properties Development, LLC or an affiliate (the Developer) for \$10,400,000, for construction of a mixed-use tower at 30 Third St S (Disposition Parcel NIC MALL 1).
2. Authorizes a redevelopment agreement contract with Developer based on the terms described in the staff report contained in File No. 16-00028.
3. Amends the Term Sheet stipulating the Developer agrees to have its project architect work with a team of City staff from Council Member Frey's Office, Council Member Goodman's Office, Mayor Hodges' Office, CPED and Public Works to evolve the Project's design to achieve the City's goals of an iconic building and reach consensus on preliminary design (the "Consensus Preliminary Design") by April 26, 2016; thereafter, the plans submitted by the Developer for City approvals shall, subject to the other provisions of the Term Sheet, be substantially consistent with the Consensus Preliminary Design. If the Consensus Preliminary Design is not obtained by April 26, 2016, the Developer or the City may terminate the Agreement and 100% of the good faith deposit shall be returned to the Developer.

Committee: CDRS Public Hearing: N/A Publication: 1/23/2016

RECORD OF COUNCIL VOTE				
MEMBER	AYE	NAY	ABSTAIN	ABSENT
REICH	X			
GORDON	X			
FREY	X			
B. JOHNSON	X			
YANG	X			
WARSAME	X			
GOODMAN	X			
GLIDDEN	X			
CANO	X			
BENDER	X			
QUINCY				X
A. JOHNSON	X			
PALMISANO	X			
DATE:	JAN 15 2016			

☒ APPROVED

☐ VETOED


MAYOR HODGES

JAN 15 2016

DATE

Certified an official action of the City Council

ATTEST:


CITY CLERK



Resolution No. 2016R-004

City of Minneapolis

File No. 16-00028

By Goodman

Authorizing sale of land Disposition Parcel NIC MALL 1 at 30 Third St S.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel NIC MALL 1, in the Downtown West neighborhood, from United Properties Development, LLC or an affiliate, hereinafter known as the Redeveloper, the Parcel NIC MALL 1, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of NIC MALL 1; 30 Third St S: Par 1: Lots 163, 165 and 166, Auditor's Subdivision Number 137;

Par 2: A tract of land consisting of Lots 160, and 161 Auditor's Subdivision Number 137, the Northeasterly line of which tract is parallel with and 96 feet Northeasterly from the Northerly line of Third Street South in the City of Minneapolis, Minnesota, as measured along the Westerly line of Nicollet Avenue in said City and State, and as determined in Torrens Case No. 5113, Files of the Office of the Clerk of District Court, Fourth Judicial District, State of Minnesota, and marked by judicial landmarks placed at the Northeasterly and Northwesterly corners of said Lot 160 of said Subdivision, and the Southwesterly line of which tract is parallel with and 49 feet Northeasterly from the Northerly line of said Third Street South, in said City and State;

Par 3: A tract of land consisting of Lot 157, 158 and 159, Auditor's Subdivision Number One Hundred Thirty (137), the Northeasterly line of which tract is parallel with and 165.34 feet Southwesterly from the Southerly line of Washington Avenue South, Minneapolis, Minnesota, as measured along the Westerly line of Nicollet Avenue in said City and State and the Southwesterly line of which tract is parallel with and 96 feet Northeasterly from the Northerly line of Third Street South in said City and State, as measured along the Westerly line of said Nicollet Avenue, the four corners of which tract of land have been marked by judicial landmarks, pursuant to the interlocutory decree determining boundaries, entered by the Court herein on October 18, 1941 and as shown by a certificate of Messrs. Egan, Field and Nowak, engineers and surveyors, on file herein, dated November 12, 1941;

Par 4: Lot 162, the Northeasterly line of which lot is parallel with and 49 feet Northeasterly from the Southwesterly line of said Lot; Lots 164 and 167, Auditor's Subdivision Number 137;

Par 5: Those parts of Lot 1, 2 and 3, Block 53, Town Of Minneapolis, described as beginning at the most Westerly corner of Lot 156, Auditor's Subdivision Number 137; thence Southeasterly to the most Northerly corner of Lot 157 of said Auditor's Plat, which corner has been judicially determined and marked by a Judicial Landmark set pursuant to Torrens Case No. 5113; thence Southwesterly to the most Westerly corner of Lot 159 of said Auditor's Plat, which corner has been judicially determined and marked by Judicial Landmarks set pursuant to said Torrens Case No. 5113; thence Southwesterly to the most Westerly corner of Lot 162 of said Auditor's Plat; thence Northwesterly to the most Southerly corner of Lot 163 of said Auditor's Plat; thence Northeasterly to the most Easterly corner of Lot 167 of said Auditor's Plat; thence Northwesterly to the most Northerly corner of said Lot 167; thence Northeasterly to the point of beginning;

Par 6: A tract of land consisting of Lot 156, Auditor's Subdivision Number 137, the Southwesterly line of which tract is parallel with and 165.34 feet Southwesterly from the Southerly line of Washington Avenue South in the City of Minneapolis, Minnesota, as measured along the Westerly line of Nicollet Avenue in said City and State, said Southwesterly line being as determined in Torrens Case No. 5113, Files in the Office of the Clerk of District Court, fourth Judicial District, State of Minnesota, and marked in part by judicial landmarks placed in said line at the Northeasterly and Northwesterly corners of the adjoining Lot 157 of said Subdivision; and

Whereas, the Redeveloper has offered to pay the sum of \$10,400,000, for Parcel NIC MALL 1 to the City for the land and develop A mixed-use tower of at least 30 stories; the tower will include a mix of residential, hotel and commercial space; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on December 24, 2015, a public hearing on the proposed sale was duly held on January, 5th 2016, at the regularly scheduled Community Development & Regulatory Services Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value is hereby estimated to be at or above the sum of \$10,400,000 for Parcel NIC MALL 1.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel as proposed.

Be It Further Resolved that the City finds that pursuant to Minnesota Statutes §469.105, the sale and conveyance of this Parcel as described herein is in the best interest of the City and furthers the City's general plan of economic development.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a redevelopment contract consistent with the requirements of Minnesota Statutes §469.105. Furthermore, that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

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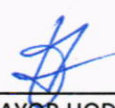
Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

Committee: CDRS Public Hearing: N/A Publication: 1/23/2016

RECORD OF COUNCIL VOTE				
MEMBER	AYE	NAY	ABSTAIN	ABSENT
REICH	X			
GORDON	X			
FREY	X			
B. JOHNSON	X			
YANG	X			
WARSAME	X			
GOODMAN	X			
GLIDDEN	X			
CANO	X			
BENDER	X			
QUINCY				X
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